

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Review of the Commission's)	
Broadcast and Cable)	MM Docket No. 98-204
Equal Employment Opportunity)	
Rules and Policies)	

PETITION FOR LEAVE TO SUBMIT COMMENTS

The School Board of Broward County, Florida ("Broward"), by counsel, hereby requests leave to submit its Comments in the above-captioned proceeding. Broward's Comments have already been submitted electronically. *See Comments of School Board of Broward County, Florida*, MM 98-204 (April 16, 2002) (confirmation no. 2002416922278).

However, as explained below, counsel for Broward did not succeed in overcoming an unexpected technical incompatibility with the Electronic Comment Filing System until a few minutes past midnight, or just moments past the deadline.

Broward attempted to submit the Comments late in the evening of the filing deadline on April 15, 2002. Both the Comments and the necessary electronic "cover page" were prepared and ready for submission before the deadline. However, counsel for Broward had prepared the cover page using a popular new internet browser application known as "Omniweb". Unfortunately, the Commission's ECFS proved unable to receive information from this browser software.

Upon discovering this defect in the browser, counsel prepared the submission using Netscape software. At this point, counsel was further delayed by the ECFS' refusal to accept

the listed docket number, "MM 98-204". After some consideration, counsel deleted the "MM" prefix and again attempted to submit the Comments. This time the effort proved successful; the ECFS accepted the Comments and reported the above-referenced confirmation number. By the time the process was completed, it was a few minutes past midnight. Today, the Media Bureau staff subsequently advised Broward to file the instant request.

Obviously, no party to this proceeding was prejudiced by the minor delay in filing Broward's Comments. The Comments were available through the ECFS, along with all of the comments submitted just moments prior to Broward's, when offices opened for business this morning. No one stood ready to submit reply comments as of 12:05 A.M., but for the delay imposed on them by Broward's technical difficulties.

In view of the foregoing, the minor delay in filing Broward's Comments was both unexpected and technical in nature. Moreover, the delay resulted in no prejudice to other participants in the proceeding. Finally, the Commission's deliberations in the public interest would be best served if the Commission considers Broward's Comments. Accordingly, Broward requests leave to submit its Comments on this date.

Respectfully submitted,

**THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA**

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